

Utility  
Patent Application  
Transmittal

Attorney Docket No. P-0038US  
First Inventor or Application Identifier  
RAYBORN, Jerry  
Title WATER-BASED DRILLING FLUID ADDITIVE  
Express Mail Label No. CONTAINING GRAPHITE +  
CARRIER

22388 U.S. PTO

10/667319



APPLICATION ELEMENTS

See MPEP chapter 6000 concerning utility patent application contents.

1. ☒ \*Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total pages 36]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application  
(37 C.F.R. §1.63(d)) (for continuation/divisional with box 16 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§1.63(d)(2) and 1.33 (b).

\* NOTE FOR ITEMS 1&13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. §1.28).

ADDRESS TO: Assistant Commissioner for  
Patents  
Box Patent Application  
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence  
Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. §3.73(b) Statement [ ] Power of Attorney  
(When there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure [ ] Copies of IDS  
Statement (IDS)/PTO-1449 Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☒ \*Small Entity [ ] Statement filed in prior  
Statement(s) application, Status still  
(PTO/SB/09-12) proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

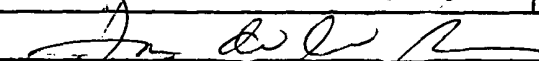
[ ] Continuation [ ] Divisional ☒ Continuation-in-part (CIP) of prior Application No. 10/090201

Prior application information: Examiner Philip Tucker Group / Art Unit: 1712

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

CORRESPONDENCE ADDRESS

[ ] Customer Number or Bar Cod. del		or [ ] Co		pendence address below	
<div style="border: 1px dashed black; padding: 10px; margin: 0 auto; width: 80%;">           (Insert Customer No. or Attach bar code label here)         </div>					

Name	Dan M. dela Rosa, Esq.				
Address	345 E 80th Street, Suite 27H				
City	New York	State	N.Y	Zip Code	10021
Country	U. S. A.	Telephone	(212) 570-6597	Fax	(212) 570-9053
Name (print/type)	Dan M. dela Rosa, Esq.		Registration No. (Attorney/Agent)		38,429
Signature				Date	9/22/03

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

## FEE TRANSMITTAL for FY 1999

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a  
small entity statement, otherwise large entity fees  
must be paid. See Forms PTO/SB/09-12.

## Complete if Known

Application Number T Be Assigned  
Filing Date September 23, 2003  
First Named Inventor RAYBORN, Jerry  
Examiner Name To Be Assigned TUCKER, Philip  
Group / Art Unit To Be Assigned 1712  
Attorney Docket No. P-003845

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated  
fees and credit any over payment to:

Deposit Account No. \_\_\_\_\_  
Deposit Account Name \_\_\_\_\_

☐ Charge Any Additional  
Fee Required Under  
37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)		
101	760	201	380	Utility filing fee	<u>375</u>
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) \$					

### 2. EXTRA CLAIM FEES

Total Claims 32 -20\*\* = 12 x 9 = 108

Independent Claims 4 -3\*\* = 1 x 42 = 42

Multiple Dependent =

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)		
101	760	201	380	Utility filing fee	<u>375</u>
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) \$					<u>375</u>

## FEE CALCULATION

### 3. ADDITIONAL FEES

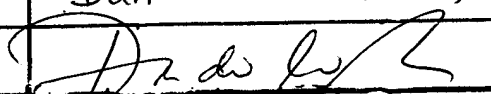
Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)		
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge-late prov	
				provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR	
				prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR	
				after to Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceedings	
140	110	240	55	Petition to revive-unavoidable	
141	1,210	241	605	Petition to revive-unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petition to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per	<u>40</u>
				Property (times number of properties)	
146	760	246	380	Filing a submission after final rejection	
				(37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be	
				examined (37 CFR 1.129(a))	

Other fee (specify) \_\_\_\_\_  
Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid SUBTOTAL \$ 40

TOTAL AMOUNT \$ 565.00

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	<u>Dan M. de la Rosa, Esq.</u>			Reg. Number	<u>38,429</u>
Signature		Date	<u>9/22/03</u>	Deposit Account User ID	

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: RAYBORN, Jerry  
Serial No.: To Be Assigned  
Filed: September 23, 2003  
Title: WATER-BASED DRILLING FLUID ADDITIVE  
CONTAINING GRAPHITE AND CARRIER  
Examiner: Tucker, Philip Art Unit: 1712  
Docket: P-0038US

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**CERTIFICATE OF UPS MAILING**

Date of Deposit: September 23, 2003

I hereby certify that the following attached paper (s) and/or fee

- (1) Utility Patent Application Transmittal;
- (2) Declaration for Utility or Design Patent Application (37 CFR 1.63);
- (3) Fee Transmittal;
- (4) Assignment and Assignment Recordation Sheet;
- (5) Continuation-In-Part Patent Application (Comprising 36 pgs, 30 pgs of specifications, 5 pgs of claims, 1 pg abstract, 2 pgs of drawings);
- (6) A check totaling the amount of \$565.00; and
- (7) A self-addressed stamped postcard, return which is requested to acknowledge receipt of the enclosed documents

Are being deposited with UPS on the date indicated above and is addressed to the "Commissioner of Patents, Crystal Plaza #2, Suite 1A031, 2011 South Clark Place, Arlington, VA 22202";

Respectfully submitted,

Dated: September 23, 2003

  
Dan M. de la Rosa

**CORRESPONDENCE:**

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